

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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MARK ALLAN SPADT,

Case No. 3:19-cv-00343-MMD-CLB

Plaintiff,

## ORDER

v.

WICKHAM, *et al.*,

## Defendants.

## I. DISCUSSION

This action is a *pro se* civil rights action filed pursuant to 42 U.S.C. § 1983 by an individual who has been released from the custody of the Nevada Department of Corrections. Plaintiff submitted an application to proceed *in forma pauperis* for prisoners. (ECF No. 1). The Court now directs Plaintiff to file an application to proceed *in forma pauperis* by a non-prisoner within thirty (30) days from the date of this order or pay the full filing fee of \$400. The Court will retain Plaintiff's civil rights complaint (ECF No. 1-1), but will not file it until the matter of the payment of the filing fee is resolved.

## II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed *in forma pauperis* for prisoners (ECF No. 1) is DENIED as moot.

1 IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the  
2 approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the  
3 document entitled information and instructions for filing an *in forma pauperis* application.  
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5 IT IS FURTHER ORDERED that within thirty (30) days from the date of this order,  
6 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis* for  
7 non-prisoners; or (2) pay the full filing fee of \$400.

8 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,  
9 dismissal of this action may result.

10 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint  
(ECF No. 1-1), but shall not file it at this time.

11 DATED: December 16, 2019.

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UNITED STATES MAGISTRATE JUDGE  
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